

**RESOLUTION NO. ~~10-28~~\_\_\_\_\_**

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AWARDING THREE-YEAR LICENSES SUBJECT TO ANNUAL COMPLIANCE REVIEW TO MAGIC TOWING & RECOVERY, INC. TO PERFORM POLICE OR CITY-INITIATED TOWING SERVICES; DIRECTING THE LAW DEPARTMENT TO DRAFT AND NEGOTIATE THE LICENSE AGREEMENT; AUTHORIZING THE MAYOR AND THE CITY CLERK, ON BEHALF OF THE CITY TO EXECUTE SUCH AGREEMENT IN FURTHERANCE THEREOF, AND FURTHER RECOMMENDING THAT THE ADMINISTRATION CONSIDER A NEW REQUEST FOR PROPOSALS FOR ADDITIONAL WRECKER COMPANIES THAT WILL QUALIFY AT TIME OF RESPONSE WITH ALL CITY REQUIREMENTS IN ORDER TO ESTABLISH A ROTATION FOR CITY-INITIATED TOWING SERVICES.

**WHEREAS**, on February 8, 2010, the Selection Committee, comprising of the Director of the Streets Department, Purchasing Agent and the Director of Grants and Human Services, ranked all the qualified proposers that responded to the Request for Proposal 2009/10-1000-36-004 Police or City-Initiated Wrecker Services, from the highest ranking to the lowest ranking, in descending order as follows: and (1) Magic Towing & Recovery, Inc; and (2) Westbrook Motors, Inc., and

**WHEREAS**, the Selection Committee finds that Westbrook Motors, Inc would not be able to complete site improvements, including the construction of a prefabricated concrete wall, paving, drainage and other improvements to comply with zoning and regulatory requirements as of March 30, 2010 in order to be placed on the rotation for the new license period commencing on April 1, 2010; and

**WHEREAS**, the Selection Committee recommends that the City Council award Request for Proposal 2009/10-1000-36-004 to Magic Towing & Recovery, Inc. and that the Administration issue a second request for proposals for wrecker companies in order to establish a rotation system of two or three companies providing City-initiated towing services; and

**WHEREAS**, the recommendation of the Selection Committee was submitted, without additional comment from the Mayor, to the Hialeah City Council; and

**WHEREAS**, the City of Hialeah finds that it is in the best interest of the City and its general welfare to award a license to Magic Towing & Recovery, Inc. at this time and suggests that the Administration obtain one or two more wrecker companies to establish a rotation for City-initiated towing services.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

**Section 1:** The foregoing facts and recitations contained in the preamble to this resolution are hereby adopted and incorporated by reference as if fully set forth herein.

**Section 2:** The City of Hialeah, Florida hereby awards three-year license subject to annual compliance review to Magic Towing & Recovery, Inc. to perform police or City-initiated towing services.

**Section 3:** The City Council hereby recommends that the Administration consider a new Request for Proposals for additional wrecker companies that will qualify at the time of response with all City requirements in order to establish a rotation for City-initiated towing services.

**Section 4:** The City of Hialeah, Florida hereby directs the Law Department to draft and negotiate the license agreement and further authorizes the Mayor and the City

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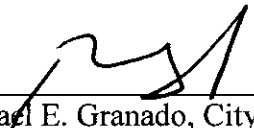
Clerk, on behalf of the City, to execute such agreement in furtherance thereof.

PASSED AND ADOPTED this 9th day of March, 2010.

  
\_\_\_\_\_  
Carlos Hernandez  
Council President

Attest:

Approved on this 10<sup>th</sup> day of March, 2010.

  
\_\_\_\_\_  
Rafael E. Granado, City Clerk

  
\_\_\_\_\_  
Mayor Julio Robaina

Approved as to form and legal sufficiency:

  
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William M. Grodnick, City Attorney

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Resolution was adopted by a unanimous vote with Councilmembers, Caragol, Casals-Muñoz, Cue, Garcia-Martinez, Gonzalez, Hernandez, and Yedra voting "Yes".